

Remarks:

Claims 1-3 and 6-8 are amended and claims 9-14 added herein. Upon entry of this amendment, claims 1-14 will be pending in the subject Application.

Claims 1-8 – Section 112

Applicant respectfully requests reconsideration of the rejection of claims 1-8 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable skilled in the art to make and/or use the invention. The amendment to claims 1-8 deletes "to display a stereoscopic image" (claims 1, 6, and 7) and "displaying a stereoscopic image" (claim 8). The Office Action draws a distinction between an apparatus' ability to display a stereoscope image and an apparatus' ability to display an image that is perceived as stereoscopic by the viewer. Although Applicant respectfully disagrees with the distinction and application of the distinction as the basis for a rejection, the amendments to the subject claims render the point moot and the rejection improper. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claims 1-8 – Objection

Applicant respectfully requests reconsideration of the objection to claims 1-8. The amendment to claims 1-8 deletes "arbitrary phase distribution" and "stereoscopic image." The Office Action asserts that because there is no logical connection between "arbitrary phase distribution" and the "stereoscopic image," the claims are confusing and indefinite. As an initial matter, a claim that the Examiner finds unclear and indefinite should not be objected to because objections address improper claim form (e.g., improper dependency), not improper claim substance. See M.P.E.P. § 706.01 (distinguishing rejections and objections). Further, Applicant respectfully disagrees with the assertion that the scope of the claims is confusing and indefinite. In any event, the amendments to the subject claims render the objection (and any similarly based Section 112, second paragraph, rejection) improper. Accordingly, Applicant respectfully requests that the objection be withdrawn.

Claims 1-6 – Section 103

Applicant respectfully requests reconsideration of the rejection of claims 1-6 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,982,553 (Bloom) in view of U.S. Patent No. 5,694,235 (Kajiki) and U.S. Patent No. 6,307,663 (Kowarz). As amended, claims 1-5 recite a one-dimensional spatial modulator including one-dimensionally arrayed elements having top surfaces, the elements being independently driven such that the entire top surface of each element selectively moves upward and downward during operation of the display apparatus. As amended, claim 6 recites a Grating Light Valve device having a plurality of ribbon-like elements that have top surfaces, the Grating Light Valve being configured to generate a phase distribution by independently driving each ribbon-like element so that all of the top surface of each elements selectively moves up and down during operation of the display apparatus.

Bloom discloses a display grating light valve have active ribbons 12, 12A separated by fixed ribbons 18, 18A. Kajiki discloses a 3-D recording/reproducing system including a modulator 19. Kowarz discloses a light modulator wherein portions of ribbon elements 23a-23d move up and down while portions intermediate the moving portions (i.e., portions positioned above intermediate supports 27) remain fixed. Bloom, Kajiki, and Kowarz, individually and in combination, fail to show or suggest elements independently driven such that all of the top surfaces of the elements selectively move upward and downward, as claimed.

Because the references, individually or in combination, do not show or suggest every claimed feature, the rejection is improper. Accordingly, Applicant respectfully requests the rejection be withdrawn.

Claims 7 and 8 – Section 103

Applicant respectfully requests reconsideration of the rejection of claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Bloom in view of Kajiki. As amended, claim 7 recites means for spatially modulating the coherent light in a one-dimensional direction, wherein the means for spatially modulating is controlled in part according to a Fourier transformation function, and means for scanning the modulated

light in a direction orthogonal to the one-dimensional direction and in a direction parallel to the one-dimensional direction.

As amended, claim 8 recites spatially modulating the coherent light in a one-dimensional direction in accord with a Fourier transformation function.

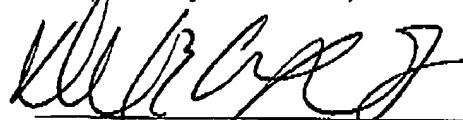
Bloom discloses a display grating light valve have active ribbons 12, 12A separated by fixed ribbons 18, 18A. Kajiki discloses a 3-D recording/reproducing system including a modulator 19. The references fail, individually and in combination, to show or suggest controlling the means for spatially modulating in part according to a Fourier transformation function and means for scanning the modulated light in a direction orthogonal to the one-dimensional direction and in a direction parallel to the one-dimensional direction (claim 7) or to show or suggest spatially modulating the coherent light in a one-dimensional direction in accord with a Fourier transformation function (claim 8).

Because the references, individually or in combination, fail to show or suggest every claimed feature, the rejection is improper. Accordingly, Applicant respectfully requests the rejection be withdrawn.

Conclusion

As it is believed that the Application is in condition for allowance, a favorable action and Notice of Allowance are respectfully requested.

Respectfully submitted,



David E. Crawford, Jr., Reg. No. 38,118
Customer No. 26263
(314) 259-5810

Date: February 25, 2005